

FARAD CONTINUATION SHEET

APPELLATE SIDE

Civil Writ Petition No.4223 of 2004

With

Civil Application No.2136 of 2006

 Office Notes, Office Memoranda Court's or Judge's orders
 of Coram, appearance, Court's
 orders or directions and
 Registrar's orders

Mr.R.A.Thorat for petitioner.
 Ms.Vidya Manjrekar i/b Mr.P.V.Havnur
 and Shri M.N.Havnur for resp.no.1B.

CORAM: B.H.MARLAPALLE,J.
 April 19, 2007.

P.C.

. L.E. & C. Suit No.472 of 1977 was
 decreed by the learned Judge of the Small
 Causes Court at Mumbai by judgment and order
 dated 21/6/2000. Being aggrieved by the said
 decree the defendants filed Appeal No.135 of
 2000 before the Appellate Bench of the Small
 Causes Court. The said Appeal was dismissed
 by the lower Appellate Court vide its
 judgment and order dated 12/3/2004. Both
 these orders have been passed by the Courts
 subordinate to this Court.

. In view of the order passed by me in
 Writ Petition No.4138 of 2006 decided on
 24/8/2006, this petition need not be

entertained on account of the alternate remedy available under Section 115 of C.P.C. Hence the petition is disposed as such with liberty to file a revision application and if such a revision is filed within a period of four weeks from today, the period of pendency of this petition will be taken into consideration for condonation of delay, if any, in filing the revision application. Annexures to the petition memo be returned, if applied for. Status quo order to continue for a further period of two weeks from today.

. Civil Application does not survive and the same stands disposed.

(B.H.MARLAPALLE,J.)